

1133279-0028

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

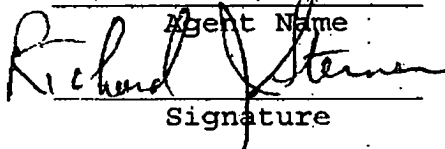
Applicant : Gary J. Becker  
Serial No. : 09/511,481  
Filed : February 23, 2000  
Title : EXPANDABLE INTRALUMINAL  
ENDOPROSTHESIS  
Examiner : Chattopadhyay, Urmi  
Group Art Unit : 3738

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22313-1450, on November 17, 2004.

Richard J. Sterner

Agent Name

  
Signature35,372

PTO Reg. No.

November 17, 2004

Date of Signature

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTIFICATION OF ERROR IN PAYMENT OF FEES AS A SMALL ENTITY  
(37 CFR 81.28(C))

Sir:

When the instant application was filed on February 23, 2000,  
all parties holding rights in the invention qualified for small  
entity status, and claim for such was rightfully made. However,  
some time later this status changed, but, due to no deceptive

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intent, the claim was never subsequently withdrawn. This Notification of Error is submitted in order to effect payment of deficiencies owed in accordance with the rules. The claim to status as a small entity is hereby withdrawn.

PAYMENT OF FEES AS SMALL ENTITY

- 1) An excess total claims fee of \$126 was paid on February 13, 2002. The current fee amount for a non-small entity is \$252, and the deficiency owed is thus \$126.
- 2) An excess independent claims fee of \$42 was paid on February 13, 2002. The current fee amount for a non-small entity is \$88, and the deficiency owed is thus \$46.
- 3) A two-month extension fee of \$200 was paid on February 13, 2002. The current fee amount for a non-small entity is \$430, and the deficiency owed is thus \$230.
- 4) An RCE fee of \$385 was paid in January 5, 2004. The current fee amount for a non-small entity is \$790, and the deficiency owed is thus \$405.

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5) A five-month extension fee of \$1,005 was paid on January 5, 2004. The current fee amount for a non-small entity is \$2,080, and the deficiency owed is thus \$1,075.

6) A three-month extension fee of \$475 was paid on August 6, 2004. The current fee amount for a non-small entity is \$980, and the deficiency owed is thus \$505.

**FEE PAYMENT FOR DEFICIENCY**

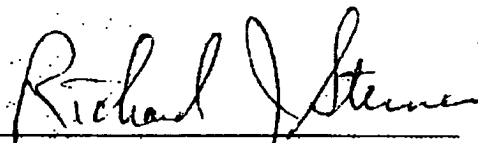
As can be determined from the itemized information above, the total deficiency owed, i.e., the difference between the amount of fees paid by Applicants at the small-entity level and the currently set amount of those fees for a non-small entity, is \$2,387. Authorization is hereby given to charge this sum to Deposit Account No. 23-1703. To the knowledge of Applicants' agent, no other fees of small-entity level were paid by Applicants or charged by the Office. However, should it be determined that any additional deficiencies exist, or should it be determined that any additional fees are due for any reason, said deficiencies or additional fees may likewise be charged.

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This submission is made in good faith and meets all of the requirements of 37 CFR §1.28(c)(2).

Date: November 17, 2004

Respectfully submitted,



Richard J. Sterner  
Reg. No. 35,372

Applicant's Agent  
Customer Number 007470  
(212) 819-8200

Agent's Direct Line:  
(212) 819-8783